

PTO/SB/30 (04-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/058,040
Filing Date	JANUARY 29, 2002
First Named Inventor	BAER, et al.
Art Unit	1711
Examiner Name	MELANIE D. BISSETT
Attorney Docket Number	BLB-025027-US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 09-0525. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

07/18/2005 SDENB081 00000007 090525 10058040

ii. ☒ Extension of time fee (37 CFR 1.138 and 1.17)

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iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Melvin D. Fletcher</i>	Date	JULY 15, 2005
Name (Print/Type)	MELVIN D. FLETCHER	Registration No.	36,137

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Jane A. Tomlinson</i>
Name (Print/Type)	JANE A. TOMLINSON
Date	7-15-05

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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JUL 15 2005

Attorney Docket No.: BLB-025027-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: BAER, et al. Group Art Unit: 1711
Serial No.: 10/058,040 Examiner: MELANIE D. BISSETT
Filed: January 29, 2002
For: ECONOMICAL OXYGEN BARRIER STRUCTURES UTILIZING
EVOH/POLYOLEFIN BLENDS

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the documents listed below are being facsimile transmitted to United States Patent and Trademark Office to Fax No.: (703) 872-9306, on July 15, 2005:

1. Cover Letter, 1 sheet(s);
2. Transmittal Form, PTO/SB/21, 1 sheet(s);
3. Request for Continued Examination RCE Form, PTO/SB/30, 1 sheet(s);
4. Petition for Extension of Time, Form SB/22, 2 sheet(s);
5. Amendment Claims, 11 sheets(s)

Please feel free to contact me if you have any questions concerning the above or the enclosed.

By: 
Jane Tomlinson

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MELVIN D. FLETCHER
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LOVELAND, OH 45140-8318

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F 513 248 6455
EMAIL melvin.fletcher@ipaper.com

July 15, 2005

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

RE: SUBMISSION OF OFFICE ACTION - RESPONSE TO EXAMINER'S OFFICE ACTION

Applicant : BAER, et al
Serial No. : 10/058,040
Filed : January 29, 2002
Title : ECONOMICAL OXYGEN BARRIER STRUCTURE.....
Our Ref. : BLB-025027-US

Dear Commissioner:

Enclosed herewith for filing, Applicant respectfully submits the following:

1. Transmittal Form, PTO/SB/21, 1 sheet(s);
2. Request for Continued Examination RCE Form, PTO/SB/30, 1 sheet(s);
3. Petition for Extension of Time, Form SB/22, 2 sheet(s);
4. Amendment Claims, 11 sheets(s)

Please feel free to contact me if you have any questions concerning the above or the enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Melvin D. Fletcher".

Melvin D. Fletcher
Attorney for Applicants

Encl.
MDF/jt

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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/058,040	
	Filing Date	JANUARY 29, 2002	
	First Named Inventor	BAER, et al.	
	Art Unit	1711	
	Examiner Name	MELANIE D. BISSETT	
Total Number of Pages in This Submission	15	Attorney Docket Number	BLB-025027-US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for continued Examination RCE form PTO/SB/30
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	INTERNATIONAL PAPER COMPANY		
Signature	<i>Melvin D. Fletcher</i>		
Printed name	MELVIN D. FLETCHER		
Date	JULY 15, 2005	Reg. No.	36,137

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	<i>Jane A. Tomlinson</i>
Typed or printed name	JANE A. TOMLINSON
Date	7-15-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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